



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147

WASHINGTON, THURSDAY, OCTOBER 11, 2001

No. 136—Part II

House of Representatives

□ 0857

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SESSIONS) at 8 o'clock and 57 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 107-237) on the resolution (H. Res. 263) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCHUGH (at the request of Mr. ARMEY) for today after 6:15 p.m. and the balance of the week on account of illness in the family.

Mr. BLUNT (at the request of Mr. ARMEY) for today and the balance of the week on account of personal reasons.

Mr. GILLMOR (at the request of Mr. ARMEY) for today after 5:00 p.m. and the balance of the week on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. MCKINNEY) to revise and

extend their remarks and include extraneous material:)

Ms. MCKINNEY, for 5 minutes, today.

Ms. SANCHEZ, for 5 minutes, today.

Mr. FALEOMAVEGA, for 5 minutes, today.

(The following Members (at the request of Mr. GEKAS) to revise and extend their remarks and include extraneous material:)

Mr. GEKAS, for 5 minutes, today.

Mr. PENCE, for 5 minutes, today.

Mr. NUSSLE, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BEREUTER and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost \$780.00

ADJOURNMENT

Mr. REYNOLDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 58 minutes a.m.), the House adjourned until today, October 12, 2001, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4206. A letter from the Acting Administrator, Agriculture Marketing Service, Department of Agriculture, transmitting the Department's final rule—Oranges and Grapefruit (Texas and States Other Than Florida, California and Arizona); Grade Standards [Docket Number FV-00-304] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4207. A letter from the Acting Administrator, Agricultural Marketing Service, De-

partment of Agriculture, transmitting the Department's final rule—Tomatoes Grown in Florida; Changes to the Handling Regulation for Producer Field-Packed Tomatoes [Docket No. FV01-966-1 FR] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4208. A letter from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Papayas Grown in Hawaii; Suspension of Grade, Inspection, and Related Reporting Requirements [Docket No. FV01-928-1 FIR] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4209. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bifenthrin; Pesticide Tolerances for Emergency Exemptions [OPP-301169; FRL-6801-5] (RIN: 2070-AB78) received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4210. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Cyhalofop-butyl; Pesticide Tolerances for Emergency Exemptions [OPP-301167; FRL-6800-2] (RIN: 2070-AB78) received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4211. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Truth in Savings—received September 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4212. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Organization and Operations of Federal Credit Unions—received September 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4213. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—California: Final Authorization of Revisions to State Hazardous Waste Management Program [FRL-7065-7] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4214. A letter from the Principal Deputy Associate Administrator, Environmental

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H6699

Protection Agency, transmitting the Agency's final rule—Missouri: Final Authorization of State Hazardous Waste Management Program Revision [FRL-7068-1] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4215. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Texas: Control of Emissions From Existing Hospital/Medical/Infectious Waste Incinerators [TX-128-1-7466a; FRL-7067-6] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4216. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Rate of Progress Plans and Contingency Measures for the Baltimore Ozone Nonattainment Area [MD057/71/98/115-3082 FRL-7066-3] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4217. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Approval of Operating Permits Program; Commonwealth of Massachusetts [AD-FRL-7065-9] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4218. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Approval of Operating Permits Program; State of Rhode Island [AD-FRL-7068-9] received September 25, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4219. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District [CA 242-0294a; FRL-7066-8] received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4220. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Correction to the Hazardous Waste Identification Rule (HWIR): Revisions to the Mixture and Derived-from Rules; Direct Final Rule [FRL-7066-2] (RIN: 2050-AE07) received September 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4221. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 13-01 which informs the intent to sign Amendment Number One to the Air Defense Command and Control Memorandum of Agreement (MOA) between the United States and the NATO Hawk Production and Logistics Organization (NHLPO) for the Fire Direction Operation Center (FDOC), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

4222. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

4223. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 135, "Food Regulation

Temporary Amendment Act of 2001" received October 11, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4224. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-133, "Free Clinic Assistance Program Extension Temporary Amendment Act of 2001" received October 11, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4225. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 132, "National Capital Revitalization Corporation Temporary Amendment Act of 2001" received October 11, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4226. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 134, "Parental Kidnapping Extradition Amendment Act of 2001" received October 11, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4227. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Pelagic Longline Fishery; Sea Turtle Protection Measures [Docket No. 010710169-1169-01; I.D. 060401B] (RIN: 0648-AP31) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SKEEN: Committee of Conference. Conference report on H.R. 2217. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107-234). Ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2559. A bill to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance (Rept. 107-235 Pt. 1). Ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2975. A bill to combat terrorism, and for other purposes; with an amendment (Rept. 107-236 Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on International Relations, Resources, and Ways and Means discharged from further consideration of H.R. 2975.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2975. Referral to the Committee on Intelligence (Permanent Select) extended for a period ending not later than October 12, 2001.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. NUSSLE (for himself and Mr. SPRATT):

H.R. 3084. A bill to revise the discretionary spending limits for fiscal year 2002 set forth in the Balanced Budget and Emergency Deficit Control Act of 1985 and to make conforming changes respecting the appropriate section 302(a) allocation for fiscal year 2002 established pursuant to the concurrent resolution on the budget for fiscal year 2002, and for other purposes; to the Committee on the Budget.

By Mrs. KELLY:

H.R. 3085. A bill to authorize the Administrator of the Small Business Administration to make direct loans to small business concerns that suffered substantial economic injury as a result of the terrorist attacks against the United States that occurred on September 11, 2001; to the Committee on Small Business.

By Mr. MCKEON (for himself, Mr.

BOEHNER, Mr. GEORGE MILLER of California, Mr. ARMEY, Mr. WATTS of Oklahoma, Mr. GEPHARDT, Mr. PETRI, Mr. KILDEE, Mr. HOEKSTRA, Mr. OWENS, Mr. CASTLE, Mr. PAYNE, Mr. GREENWOOD, Mrs. MINK of Hawaii, Mr. GRAHAM, Mr. ANDREWS, Mr. HILLEARY, Mr. SCOTT, Mr. EHLERS, Ms. WOOLSEY, Mr. FLETCHER, Ms. RIVERS, Mr. ISAKSON, Mr. HINOJOSA, Mr. GOODLATTE, Mrs. MCCARTHY of New York, Mrs. BIGGERT, Mr. TIERNEY, Mr. PLATTS, Mr. FORD, Mr. TIBERI, Mr. KUCINICH, Mr. KELLER, Mr. WU, Mr. OSBORNE, Mr. HOLT, Ms. SOLIS, Mrs. DAVIS of California, Ms. MCCOLLUM, Mr. BAKER, Mr. BERMAN, Mr. BILIRAKIS, Mr. BOEHLERT, Mr. BUYER, Mr. CALVERT, Mr. CRENSHAW, Mr. CUNNINGHAM, Mr. DREIER, Mr. EVANS, Mr. FILNER, Mr. FORBES, Mr. HALL of Texas, Ms. HARMAN, Mr. HERGER, Mr. HUNTER, Mr. JONES of North Carolina, Mr. KING, Mr. KIRK, Mr. QUINN, Mr. SABO, Mr. SHOWS, Mr. SIMPSON, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. SNYDER, Mr. STUMP, Mr. TAYLOR of Mississippi, Mr. TURNER, Mr. UNDERWOOD, Mr. WALSH, Ms. WATERS, and Mr. WAXMAN):

H.R. 3086. A bill to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President of the United States on September 14, 2001; to the Committee on Education and the Workforce.

By Mr. EVANS (for himself, Mr. REYES, and Ms. BROWN of Florida):

H.R. 3087. A bill to amend title 38, United States Code, to provide that veterans who are 65 years of age or older shall be eligible for pension benefits under laws administered by the Secretary of Veterans Affairs without regard to disability; to the Committee on Veterans' Affairs.

By Mr. GILMAN (for himself, Mr. ACKERMAN, Mr. ROYCE, Mr. MENENDEZ, Mr. ROHRBACHER, Mrs. MALONEY of New York, Mr. SMITH of New Jersey, Ms. KAPTUR, Mr. SAM JOHNSON of Texas, Mr. DUNCAN, Mr. JONES of North Carolina, Mr. HAYWORTH, Mr. GUTKNECHT, and Mr. SAWYER):

H.R. 3088. A bill to contribute to the defense of the United States against future terrorist attack by providing for the removal from power of the Taliban regime in Afghanistan; to the Committee on International Relations.

By Mr. TERRY (for himself, Mr. BARTON of Texas, Mr. PICKERING, and Mr. NORWOOD):

H.R. 3089. A bill to amend the Federal Power Act to promote energy security, environmental protection, electricity price stability, and electric reliability by providing for the use of net metering by certain small electric energy generation systems, and for

other purposes; to the Committee on Energy and Commerce.

By Mr. THOMAS:

H.R. 3090. A bill to provide tax incentives for economic recovery; to the Committee on Ways and Means.

By Mr. BLAGOJEVICH:

H.R. 3091. A bill to combat terrorism and defend the Nation against terrorist; to the Committee on the Judiciary.

By Mr. BROWN of Ohio:

H.R. 3092. A bill to amend part B of title XVIII of the Social Security Act to expand coverage of durable medical equipment to include physician prescribed equipment necessary so unpaid caregivers can effectively and safely care for patients; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTELLO:

H.R. 3093. A bill to designate the Federal building and United States courthouse located at 501 Bell Street in Alton, Illinois, as the "William L. Beatty Federal Building and United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. CRANE (for himself and Mr. MANZULLO):

H.R. 3094. A bill to amend title XVIII of the Social Security Act to exclude services of certain providers from the skilled nursing facility prospective payment system, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELAHUNT:

H.R. 3095. A bill to coordinate and expand United States and international programs for the conservation and protection of North Atlantic Right Whales; to the Committee on Resources, and in addition to the Committees on Transportation and Infrastructure, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLETCHER:

H.R. 3096. A bill to amend the Appalachian Regional Development Act of 1965 to add Nicholas County, Kentucky, to the Appalachian region; to the Committee on Transportation and Infrastructure.

By Mr. HERGER (for himself and Mr. MCCREY):

H.R. 3097. A bill to repeal the Federal unemployment surtax; to the Committee on Ways and Means.

By Mr. HOEKSTRA (for himself, Mr. EHLERS, Mr. UPTON, Mr. CAMP, Mr. KNOLLENBERG, Mr. SMITH of Michigan, and Mr. ROGERS of Michigan):

H.R. 3098. A bill to amend the Internal Revenue Code of 1986 to classify office furniture as 5-year property for purposes of accelerated depreciation; to the Committee on Ways and Means.

By Ms. KAPTUR:

H.R. 3099. A bill to provide for a Biofuels Feedstocks Energy Reserve, and to authorize the Secretary of Agriculture to make and guarantee loans for the production, distribution, development, and storage of biofuels; to the Committee on Agriculture.

By Mr. LaFALCE (for himself, Mr. QUINN, and Mr. REYNOLDS):

H.R. 3100. A bill to amend the Internal Revenue Code of 1986 to allow for the expansion of areas designated as renewal communities

based on 2000 census data; to the Committee on Ways and Means.

By Mr. MATHESON (for himself and Mr. HONDA):

H.R. 3101. A bill to direct the National Institute of Standards and Technology to ensure the development of standards and measures for effective aviation security technologies, to direct the Administrator of the Federal Aviation Administration to carry out a pilot program to test and evaluate new and emerging aviation security technologies, and for other purposes; to the Committee on Science, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McKEON:

H.R. 3102. A bill to direct the Director of the Federal Emergency Management Agency to waive repayment requirements in connection with a grant made to Granada Hills Community Hospital in Granada Hills, California; to the Committee on Transportation and Infrastructure.

By Mrs. MINK of Hawaii (for herself, Mr. ABERCROMBIE, and Mr. HASTINGS of Florida):

H.R. 3103. A bill to ensure that individuals scheduled for certain flights are not penalized for canceling or rescheduling such flights; to the Committee on Transportation and Infrastructure.

By Mr. PETERSON of Minnesota (for himself, Mr. McHUGH, Mr. SAXTON, Mr. GREEN of Wisconsin, Mr. PICKERING, and Mr. WALSH):

H.R. 3104. A bill to protect the public's ability to fish for sport, and for other purposes; to the Committee on Resources.

By Mr. ROYCE:

H.R. 3105. A bill to amend the Internal Revenue Code of 1986 to allow amounts elected for reimbursement of medical care expenses under a health flexible spending arrangements, as defined in Code Section 106(c)(2) and the regulations promulgated under Section 125, that are unused during a Plan Year to be carried over within the account to subsequent plan years for the reimbursement of future eligible medical expenses; to the Committee on Ways and Means.

By Ms. SLAUGHTER:

H.R. 3106. A bill to protect children from terrorism; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STRICKLAND:

H.R. 3107. A bill to prohibit the importation for sale of foreign-made flags of the United States of America; to the Committee on Ways and Means.

By Mr. YOUNG of Florida:

H.J. Res. 68. A joint resolution making further continuing appropriations for the fiscal year 2002, and for other purposes; to the Committee on Appropriations. considered and passed.

By Mrs. BONO (for herself, Mr. HUNTER, Mr. ROHRBACHER, and Mr. CALVERT):

H. Con. Res. 247. Concurrent resolution recognizing and honoring the service of the men and women who volunteer their time to participate in funeral honor guards at the interment or memorialization of deceased veterans of the uniformed services of the United States at national cemeteries across the country; to the Committee on Veterans' Affairs.

By Mrs. JO ANN DAVIS of Virginia (for herself, Mr. GOODE, Mr. WOLF,

Mr. SCHROCK, Mr. FORBES, Mr. TOM DAVIS of Virginia, Mr. SCOTT, Mr. MORAN of Virginia, Mr. CANTOR, and Mr. GOODLATTE):

H. Res. 261. A resolution recognizing the historical significance of the Aquia sandstone quarries of Government Island in Stafford County, Virginia, for their contributions to the construction of the Capital of the United States; to the Committee on Resources.

By Mr. OSE:

H. Res. 262. A resolution congratulating Barry Bonds for setting the record of 73 home runs in a single season; to the Committee on Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

193. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a Resolution memorializing the United States Congress to support the Secretary of State in recalling our delegation to the flawed United Nation's Conference on racism and commends him for his decisive action; to the Committee on International Relations.

194. Also, a memorial of the Senate of the State of Ohio, relative to Senate Resolution No. 1056 memorializing the United States Congress that the State Senate supports the President of the United States and the United States Congress in the actions they must take in order to seek justice for the devastation that our nation has suffered from terrorism and to protect our nation from further terrorist acts of aggression; to the Committee on the Judiciary.

195. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution Memorializing the United States Congress to enact H.R. 2374 to amend the Internal Revenue Code to consider certain transitional dealer assistance related to the phase-out of Oldsmobile as an involuntary conversion; to the Committee on Ways and Means.

196. Also, a memorial of the House of Delegates of the State of West Virginia, relative to House Resolution No. 1 memorializing the United States Congress to accept the House of Delegates expression of their deepest heartfelt sympathy to the families and friends of those killed and injured in the terrorist attacks of September 11, 2001 and the recovery efforts following the attacks; jointly to the Committees on the Judiciary and International Relations.

197. Also, a memorial of the Senate of the State of West Virginia, relative to Senate Resolution No. 503 memorializing the United States Congress that the State Senate condemns the action of terrorists and their attack on the United States on September 11, 2001; and for other purposes; jointly to the Committees on the Judiciary and International Relations.

198. Also, a memorial of the House of Representatives of the State of Alabama, relative to Resolution No. 146 memorializing the United States Congress to enact appropriate laws which will result in reducing terrorist threats within our borders; and for other purposes; jointly to the Committees on the Judiciary, Transportation and Infrastructure, and Armed Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 31: Mr. SWEENEY.

H.R. 51: Mr. MANZULLO.
H.R. 97: Mr. BRADY of Pennsylvania and Mr. RUSH.
H.R. 162: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. LEWIS of Georgia.
H.R. 218: Mr. QUINN and Mr. SWEENEY.
H.R. 292: Mr. KUCINICH and Ms. LEE.
H.R. 437: Mr. CANTOR.
H.R. 440: Mr. BENTSEN.
H.R. 600: Mr. LOBIONDO and Mr. LATOURETTE.
H.R. 606: Mr. CALVERT.
H.R. 632: Mr. WYNN.
H.R. 680: Ms. LEE.
H.R. 684: Mrs. NAPOLITANO, Mr. ACKERMAN, and Ms. WATSON.
H.R. 688: Mr. NORWOOD.
H.R. 742: Mr. BROWN of Ohio.
H.R. 914: Mr. HERGER.
H.R. 952: Mr. BROWN of Ohio.
H.R. 984: Mr. MCCRERY and Mr. REHBERG.
H.R. 1071: Mr. OBERSTAR, Mr. JOHN, Mr. PASCRELL, Mr. RANGEL, Ms. PELOSI, Mr. McDERMOTT, Mr. UNDERWOOD, Mr. LEWIS of Georgia, Mr. WYNN, Mr. LANTOS, Mr. BLUMENAUER, and Mr. FATTAH.
H.R. 1073: Mr. DAVIS of Illinois.
H.R. 1084: Mrs. EMERSON.
H.R. 1086: Ms. CARSON of Indiana.
H.R. 1109: Mr. SCHAFFER, Mr. THUNE, and Mr. EHRLICH.
H.R. 1143: Mr. LEWIS of Georgia, Ms. NORTON, and Mr. SOUDER.
H.R. 1158: Mr. PICKERING.
H.R. 1178: Mr. BALDACCI.
H.R. 1254: Mr. BAIRD.
H.R. 1296: Mr. RYAN of Wisconsin, Mr. SPRATT, Mr. CLAY, and Mr. HONDA.
H.R. 1310: Mr. GEORGE MILLER of California.
H.R. 1351: Mr. BROWN of Ohio, Mr. MCHUGH, Mr. GEKAS, and Mr. UDALL of Colorado.
H.R. 1543: Mr. TIERNEY.
H.R. 1556: Mr. GEKAS.
H.R. 1582: Mr. SOLIS and Ms. LEE.
H.R. 1606: Mr. FALOMAVAEGA, Mr. ACEVEDO-VILA, and Mr. RAHALL.
H.R. 1609: Mr. GREENWOOD.
H.R. 1645: Ms. DELAURO, Mr. JONES of North Carolina, and Mrs. NAPOLITANO.
H.R. 1672: Ms. BROWN of Florida, Mrs. CAPPS, Mrs. THURMAN, and Mr. ROSS.
H.R. 1680: Mr. KLECZKA and Ms. HART.
H.R. 1782: Mr. TANCREDO.
H.R. 1786: Mr. ROGERS of Michigan.
H.R. 1819: Mr. McNULTY and Mr. LIPINSKI.
H.R. 1975: Mr. GRAHAM and Mr. HOEKSTRA.
H.R. 2284: Mr. LAHOOD, Mr. EVANS, Mr. BISHOP, and Mr. SCHROCK.
H.R. 2348: Ms. SCHAKOWSKY, Mr. SOUDER, and Mrs. TAUSCHER.
H.R. 2354: Mrs. CAPPS, Mr. SANDLIN, Ms. DELAURO, and Mr. WALSH.
H.R. 2357: Mr. TIBERI.
H.R. 2362: Mr. PASCRELL and Mr. KINGSTON.
H.R. 2374: Mr. BLUNT.
H.R. 2427: Ms. CARSON of Indiana.
H.R. 2466: Mr. GRAVES.
H.R. 2485: Mr. CANTOR.
H.R. 2515: Mr. OWENS and Mr. ETHERIDGE.
H.R. 2527: Mr. SHIMKUS and Mr. COSTELLO.
H.R. 2598: Mr. HILLIARD, Mr. STARK, and Mr. FROST.
H.R. 2623: Mr. PAYNE.
H.R. 2630: Mr. BONIOR.
H.R. 2638: Mr. BECERRA.
H.R. 2709: Mr. NEAL of Massachusetts and Mr. PORTMAN.
H.R. 2716: Mr. BILIRAKIS, Mr. McKEON, Ms. CARSON of Indiana, Mr. UDALL of New Mexico, and Mr. SHOWS.
H.R. 2722: Ms. SOLIS, Mr. GONZALEZ, Mrs. CHRISTENSEN, and Mr. HINCHEY.
H.R. 2725: Mr. LANTOS and Mr. OWENS.
H.R. 2739: Mr. SMITH of New Jersey, Mr. SCHAFFER, Mr. BERMAN, Mr. FROST, Ms. PELOSI, and Mr. SOUDER.
H.R. 2768: Mr. LAMPSON.

H.R. 2781: Mr. CLEMENT and Mr. LATHAM.
H.R. 2792: Mr. SHOWS and Mr. THUNE.
H.R. 2804: Mr. PASTOR.
H.R. 2839: Mr. WAXMAN.
H.R. 2894: Mr. CROWLEY, Mr. BERMAN, and Mr. ENGLISH.
H.R. 2895: Mr. SOUDER.
H.R. 2899: Mrs. MINK of Hawaii.
H.R. 2908: Mr. WATT of North Carolina and Mr. BOUCHER.
H.R. 2935: Mr. FILNER.
H.R. 2940: Mr. CUMMINGS.
H.R. 2946: Mr. THOMPSON of Mississippi.
H.R. 2961: Mr. SMITH of New Jersey and Mr. FRANK.
H.R. 2965: Mr. SMITH of New Jersey.
H.R. 2969: Ms. NORTON and Mr. PASCRELL.
H.R. 2975: Mr. SMITH of Texas.
H.R. 2996: Mr. ENGLISH, Mr. THUNE, Mr. GOODE, Mr. REHBERG, and Mr. SCHAFFER.
H.R. 2998: Mr. GUTKNECHT, Mr. HASTINGS of Washington, Mr. KERNS, Mr. SHIMKUS, Mr. ROTHMAN, Mr. WAXMAN, Mr. GREENWOOD, and Mr. ENGLISH.
H.R. 3003: Ms. MCKINNEY, Mrs. CHRISTENSEN, Ms. NORTON, and Mr. OWENS.
H.R. 3006: Mrs. MYRICK.
H.R. 3007: Mr. INSLEE, Ms. DUNN, Mr. ISRAEL, and Mr. KIRK.
H.R. 3015: Mr. HASTINGS of Florida.
H.R. 3022: Ms. BROWN of Florida.
H.R. 3026: Mr. SHERMAN and Mr. BISHOP.
H.R. 3029: Mr. HOEFFEL, Mr. HASTINGS of Florida, Mr. HOLT, Mr. DOGGETT, and Mr. ISAKSON.
H.R. 3050: Mr. TOOMEY, Mr. DEMINT, Mr. TERRY, Mr. SCHAFFER, Mr. BARR of Georgia, Mr. DOOLITTLE, and Mr. PITTS.
H.R. 3067: Mr. HONDA, Mr. OWENS, Ms. LEE, Mr. LANTOS, and Ms. WATSON.
H.R. 3073: Mr. GRAVES.
H.R. 3077: Mr. NETHERCUTT, Mr. ENGLISH, and Mr. GUTKNECHT.
H. Res. 6: Mr. HOLDEN.
H. Con. Res. 104: Mr. CRAMER, Mrs. THURMAN, and Ms. CARSON of Indiana.
H. Con. Res. 164: Mr. WAXMAN.
H. Con. Res. 194: Mr. WEXLER, Mr. PENCE, Mr. DOYLE, Mr. ISSA, and Mr. SOUDER.
H. Con. Res. 211: Mr. SMITH of New Jersey, Mr. HOEFFEL, Mr. FARR of California, Mr. ENGEL, Mr. FLAKE, and Mr. WAXMAN.
H. Con. Res. 232: Mr. McNULTY, Mr. ISAKSON, Mr. RAMSTAD, Ms. MCCOLLUM, Mr. KILDEE, Mr. GRAVES, Mr. MASCARA, Mr. LOBIONDO, and Mr. HILL.
H. Con. Res. 234: Mr. BONIOR, Mr. COSTELLO, and Mr. MOLLOHAN.
H. Con. Res. 240: Mr. ROTHMAN, Ms. MCCOLLUM, and Mr. HILLIARD.
H. Con. Res. 243: Mrs. THURMAN, Mr. FALOMAVAEGA, Mr. BERREUTER, Ms. PRYCE of Ohio, Mr. KNOLLENBERG, Mr. EHRLICH, Mr. SHAW, Mr. CANTOR, Mrs. WILSON, Mr. BALDACCI, and Mr. SMITH of New Jersey.
H. Res. 243: Mr. SABO and Mrs. LOWEY.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

33. The SPEAKER presented a petition of the Slidell City Council, Louisiana, relative to Resolution No. R01-21 petitioning the United States Congress to carefully consider any changes to the National Flood Insurance Program administered by the Federal Emergency Management Agency; to the Committee on Financial Services.

34. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 472 petitioning the United States Congress to oppose the granting of any discretionary economic benefit by the United States, New York State or Rockland County

governments or public benefit corporations in an attempt to locate the siting of power plants in the Torne Valley in Rockland County; to the Committee on Energy and Commerce.

35. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 472 petitioning the United States Congress to request the New York State Legislature to amend Title X of the Public Service Law to require that no electrical generating facility other than hydroelectric shall be placed within one-half mile of a primary sole source aquifer or one-half mile from any abutting highly permeable soils as determined by the New York State Department of Environmental Conservation without the prior consent of the Governor of the State of New York after a finding by the Governor of an extraordinary need for said facility; to the Committee on Energy and Commerce.

36. Also, a petition of the City of Lauderdale Lakes Commission, Florida, relative to Resolution No. 01-232 petitioning the United States Congress that the Commission expresses confidence in the Nation, its citizens, the President of the United States, the Congress and the Administration, and encourages all Americans to join together and rededicate themselves to the Nation's underlying principles of the capitalist democracy established in the Constitution of the United States of America; to the Committee on the Judiciary.

37. Also, a petition of Forty-Three State Legislators, Minnesota, relative to a letter expressing profound sympathy to the citizens of New York City and Washington, DC; pledging unwavering support to the President and Congress; and expressing hope that the President and Congress will act decisively to counteract this terrorism; jointly to the Committees on the Judiciary and International Relations.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2975

OFFERED BY: Mr. TRAFICANT

AMENDMENT No. 1: At the end of Section 702 paragraph d of Title VII (page —, after —), insert the following new section:

SEC. 802. DESIGNATION OF POLICE OFFICERS.

The Act of June 1, 1948 (40 U.S.C. 318-318d), is amended—

(1) in section 1 by striking the section heading and inserting the following:

“SEC. 2 POLICE OFFICERS.”;

(2) in section 1 and 3 by striking “special policemen” each place it appears and inserting “police officers”;

(3) in section 1(a) by striking “uniformed guards” and inserting “certain employees”; and

(4) in section 1(b) by striking “Special policemen” and inserting the following:

“(1) IN GENERAL.—Police officers”.

SEC. 803. POWERS.

Section 1(b) of the Act of June 1, 1948 (40 U.S.C. 318(b)), is further amended—

(1) by adding at the end the following:

“(2) ADDITIONAL POWERS.—Subject to paragraph (3), a police officer appointed under this section is authorized while on duty—

“(A) to carry firearms in any State, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States;

“(B) to petition Federal courts for arrest and search warrants and to execute such warrants;

“(C) to arrest an individual without a warrant if the individual commits a crime in the

officer's presence or if the officer has probable cause to believe that the individual has committed a crime or is committing a crime; and

"(D) to conduct investigations, on and off the property in question, of offenses that have been or may be committed against property under the charge and control of the Administrator or against persons on such property.

"(3) **APPROVAL OF REGULATIONS BY ATTORNEY GENERAL.**—The additional powers granted to police officers under paragraph (2) shall become effective only after the Commissioner of the Federal Protective Service issues regulations implementing paragraph (2) and the Attorney General of the United States approves such regulations.

"(4) **AUTHORITY OUTSIDE FEDERAL PROPERTY.**—The Administrator may enter into agreements with State and local governments to obtain authority for police officers appointed under this section to exercise, concurrently with State and local law enforcement authorities, the powers granted to such officers under this section in areas adjacent to property owned or occupied by the United States and under the charge and control of the Administrator."; and

(2) by moving the left margin of paragraph (1) (as designated by section 202(4) of this Act) so as to appropriately align with paragraphs (2), (3), and (4) as added by paragraph (1) of this subsection).

SEC. 804. PENALTIES.

Section 4(a) of the Act of June 1, 1948 (40 U.S.C. 318c(a)), is amended to read as follows:

"(a) **IN GENERAL.**—Except as provided in subsection (b), whoever violates any rule or regulation promulgated pursuant to section 2 shall be fined or imprisoned, or both, in an amount not to exceed the maximum amount provided for a Class C misdemeanor under sections 3571 and 3581 of title 18, United States Code."

SEC. 805. SPECIAL AGENTS.

"Section 5 of the Act of June 1, 1948 (40 U.S.C. 318d), is amended—

(1) by striking "nonuniformed special policemen" each place it appears and inserting "special agents";

(2) by striking "special policemen" and inserting "special agent"; and

(3) by adding at the end the following: "Any such special agent while on duty shall have the same authority outside Federal property as police officers have under section 1(b)(4)."

SEC. 806. ESTABLISHMENT OF FEDERAL PROTECTIVE SERVICE.

"(a) **IN GENERAL.**—The Act of June 1, 1948 (40 U.S.C. 318-318d), is amended by adding at the end the following:

"SEC. 7. ESTABLISHMENT OF FEDERAL PROTECTIVE SERVICE.

"(a) **IN GENERAL.**—The Administrator of General Services shall establish the Federal Protective Service as a separate operating service of the General Service Administration.

"(b) **APPOINTMENT OF COMMISSIONER.**—

"(1) **IN GENERAL.**—The Federal Protective Service shall be headed by a Commissioner who shall be appointed by and report directly to the Administrator.

"(2) **QUALIFICATIONS.**—The Commissioner shall be appointed from among individuals who have at least 5 years of professional law enforcement experience in a command or supervisory position.

"(c) **DUTIES OF THE COMMISSIONER.**—The Commissioner shall—

"(1) assist the Administrator in carrying out the duties of the Administrator under this Act;

"(2) except as otherwise provided by law, serve as the law enforcement officer and se-

curity official of the United States with respect to the protection of Federal officers and employees in buildings and areas that are owned or occupied by the United States and under the charge and control of the Administrator (other than buildings and areas that are secured by the United States Secret Service);

"(3) render necessary assistance, as determined by the Administrator, to other Federal, State, and local law enforcement agencies upon request; and

"(4) coordinate the activities of the Commissioner with the activities of the Commissioner of the Public Buildings Service.

Nothing in this subsection may be construed to supersede or otherwise affect the duties and responsibilities of the United States Secret Service under sections 1752 and 3056 of title 18, United States Code.

"(d) **APPOINTMENT OF REGIONAL DIRECTORS AND ASSISTANT COMMISSIONERS.**—

"(1) **IN GENERAL.**—The Commissioner may appoint regional directors and assistant commissioners of the Federal Protective Service.

"(2) **QUALIFICATIONS.**—The Commissioner shall select individuals for appointments under paragraph (1) from among individuals who have at least 5 years of direct law enforcement experience, including at least 2 years in a supervisory position."

"(b) **PAY LEVEL OF COMMISSIONER.**—Section 5316 of title 5, United States Code, is amended by inserting after the paragraph relating to the Commissioner of the Public Buildings Service the following: "Commissioner, Federal Protective Service, General Services Administration."

SEC. 807. PAY AND BENEFITS.

The Act of June 1, 1948 (40 U.S.C. 318-318d), is further amended by adding at the end the following:

"SEC. 7. PAY AND BENEFITS.

"(A) **SURVEY.**—The Director of the Office of Personnel Management shall conduct a survey of the pay and benefits of all Federal police forces to determine whether there are disparities between the pay and benefit of such forces that are not commensurate with differences in duties of working conditions.

"(b) **PAY SCHEDULE.**—The Director of the Office of Personnel Management shall in connection with the survey conducted in subsection (a) produce a pay and benefit schedule for employees of the Federal Protective Service to be contained in the findings and recommendations.

"(c) **REPORT.**—Not later than 6 months after the date of the enactment of this section, the Director shall transmit to Congress a report containing the results of the survey conducted under subsection (a), together with the Director's findings and recommendations."

SEC. 808. NUMBER OF POLICE OFFICERS.

"(a) **IN GENERAL.**—The Act of June 1, 1948 (40 U.S.C. 318-318d), is further amended by adding at the end the following:

"SEC. 8. NUMBER OF POLICE OFFICERS.

"After the 1-year period beginning on the date of the enactment of this section, there shall be at least 730 full-time equivalent police officers in the Federal Protective Service. This number shall not be reduced unless specifically authorized by law."

SEC. 909. EMPLOYMENT STANDARDS AND TRAINING.

The Act of June 1, 1948 (40 U.S.C. 318-318d), is further amended by adding at the end the following:

"SEC. 9. EMPLOYMENT STANDARDS AND TRAINING.

"(a) **IN GENERAL.**—The Commissioner of the Federal Protective Service shall prescribe minimum standards of suitability for

employment to be applied in the contracting of security personnel for buildings and areas that are owned or occupied by the United States and under the control and charge of the Administrator of General Services."

"(1) **CONTRACT COST.**—The Commissioner of the Federal Protective Service shall conduct a cost analysis on each security personnel supply contract to determine if the use of personnel directly employed by the United States would be more cost effective for use in buildings and areas that are owned or occupied by the United States and under the control and charge of the Administrator of General Services."

SEC. 1001. AUTHORIZATION OF APPROPRIATIONS.

The Act of June 1, 1948 (40 U.S.C. 318-318d), is further amended by adding at the end the following:

"SEC. 1. AUTHORIZATION OF APPROPRIATIONS.

"There is authorized to be appropriated from the Federal Buildings Fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)) such sums as may be necessary to carry out this Act."

TITLE II—FEDERAL FACILITY SAFETY ENHANCEMENT ACT

SEC. 1002. SHORT TITLE.

This title may be cited as the "Federal Facility Safety Enhancement Act."

SEC. 2. SAFETY AND SECURITY OF PERSONS IN FEDERAL FACILITIES

The Public Buildings Act of 1959 (40 U.S.C. 601 et seq.) is amended by adding at the end the following:

"SEC. 22. SAFETY AND SECURITY OF PERSONS IN CHILDCARE FACILITIES.

"(a) **WRITTEN NOTICE TO PARENTS OR GUARDIANS.**—

"(1) **INITIAL NOTIFICATION.**—Before the enrollment of any child in a childcare facility located in a public building under the control of the Administrator, the Administrator shall provide to the parents or guardians of the child a written notification containing—

"(A) an identification of the current tenants in the public building; and

"(B) the designation of the level of security of the public building.

"(2) **NOTIFICATION OF NEW TENANTS.**—After providing a written notification to the parents or guardians of a child under paragraph (1), the Administrator shall provide to the parents or guardians a written notification if any new Federal tenant is scheduled to take occupancy in the public building.

"(b) **WRITTEN NOTICE TO FEDERAL EMPLOYEES.**—

"(1) **INITIAL NOTIFICATION.**—The Administrator shall provide Federal employees a written notification containing—

"(A) an identification of the current tenants in the public building; and

"(B) the designation of the level of security of the public building.

"(2) **NOTIFICATION OF SERIOUS THREATS TO SAFETY OR SECURITY.**—As soon as practicable after being informed of a serious threat, as determined by the Administrator, that could affect the safety and security of Federal employees, members of the public and children enrolled in a childcare facility in a public building under the control of the Administrator, the Administrator shall provide notice of the threat to the contact person for each tenant in the facility and to the parents or guardians of each child in the facility.

"(c) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this section, the Administrator shall transmit to Congress a comprehensive report on childcare facilities in public buildings under the control of the Administrator.

"(2) **CONTENTS.**—The report to be transmitted under paragraph (1) shall include—

“(A) an identification and description of each childcare facility located in a public building under the control of the Administrator;

“(B) an assessment of the level of safety and security of children enrolled in the childcare facility and recommendations on methods for enhancing that safety and security; and

“(C) an estimate of cost associated with recommendations furnished under paragraph (2)(B).

“(3) WINDOWS AND INTERIOR FURNISHINGS.—In conducting an assessment of a childcare facility under paragraph (2)(B), the Adminis-

trator shall examine the windows and interior furnishings of the facility to determine whether adequate protective measures have been implemented to protect children in the facility against the dangers associated with windows and interior furnishings in the event of a natural disaster or terrorist attack, including the deadly effect of flying glass.’.

H.R. 3061

OFFERED BY: MR. CARSON OF OKLAHOMA

AMENDMENT NO. 10: Page 18, line 8, after the dollar amount, insert the following: “(reduced by \$15,000,000)”.

Page 34, line 23, after the dollar amount, insert the following: “(increased by \$15,000,000)”.

H.R. 3061

OFFERED BY: MS. VELAZQUEZ

AMENDMENT NO. 11: In title I, in the item relating to “Bureau of Labor Statistics—Salaries and Expenses”, insert before the period at the end the following:

“*Provided*, That, of such amounts, \$4,600,000 shall be available for enforcement of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) (including investigations related to such enforcement)”.